

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 16 FEET FOR AN EXISTING HOME; AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 29 FEET FOR A PROPOSED ADDITION IN THE A-1 (AGRICULTURE DISTRICT) (PATTON WASSON, APPLICANT.)

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

**Agenda Date** 10/27/03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 16 FEET FOR AN EXISTING HOME; AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 29 FEET FOR A PROPOSED ADDITION IN THE A-1 (AGRICULTURE DISTRICT); (PATTON WASSON, APPLICANT;) OR
2. **DENY** THE REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 16 FEET FOR AN EXISTING HOME; AND (2) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 29 FEET FOR A PROPOSED ADDITION IN THE A-1 (AGRICULTURE DISTRICT); (PATTON WASSON, APPLICANT;) OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #1, Maloy)

(Francisco Torregrosa, Planner)

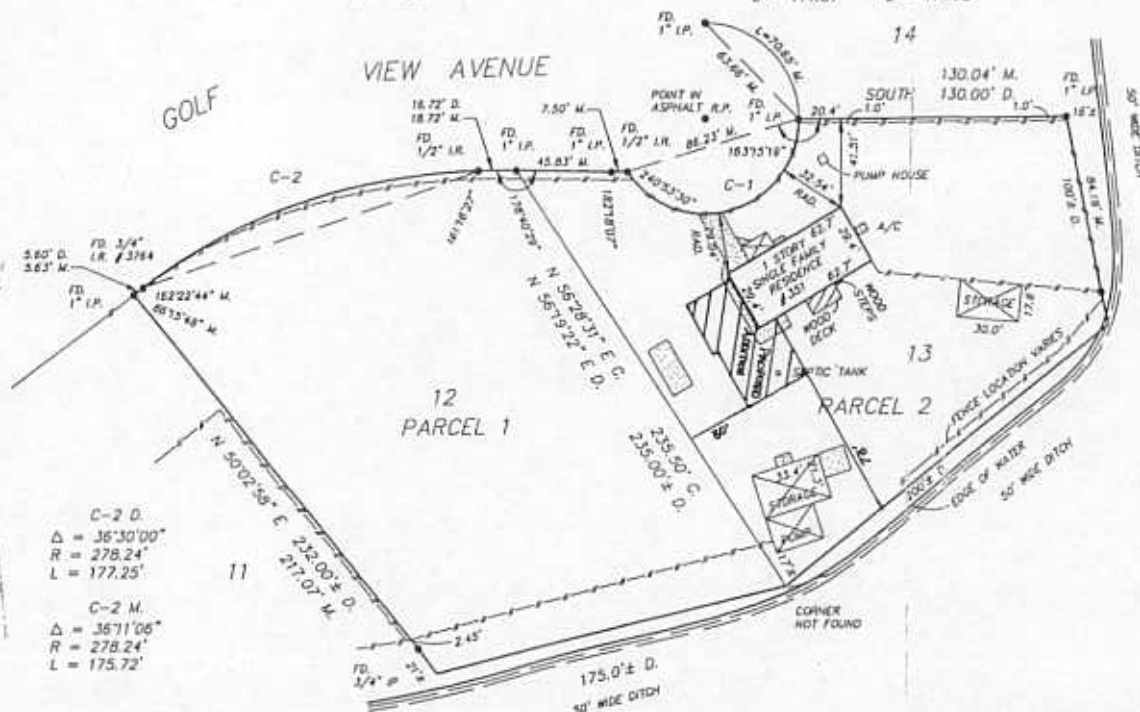
<b>GENERAL INFORMATION</b>	PATTON WASSON 351 GOLFVIEW AVENUE CHULUOTA, FL 32766	A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.128(a)(1)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION TO AN EXISTING SINGLE-FAMILY HOME IN THE A-1 DISTRICT.</li> <li>• THE EXISTING HOME ENCROACHES 34 FEET INTO THE 50 FOOT MINIMUM FRONT YARD SETBACK;</li> <li>• THE PROPOSED ADDITION WOULD ENCROACH 21 FEET INTO THE 50 FOOT MINIMUM FRONT YARD SETBACK.</li> <li>• THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE CONSTRUCTION, INSPECTION, APPROVAL AND OCCUPANCY OF THE EXISTING HOME OCCURRED FOLLOWING THE ADOPTION OF THE APPLICABLE A-1</li> </ul>	

	<p>SETBACKS. THE RECEIPT OF AN OCCUPANCY CERTIFICATE, EVEN THOUGH THE HOME FAILED TO MEET THE MINIMUM FRONT YARD SETBACK REQUIREMENT AT THE TIME, RESULTED IN A SPECIAL CIRCUMSTANCE, WHICH WOULD CONSTITUTE A HARDSHIP IF THE EXISTING HOME HAD TO BE REDUCED IN SIZE TO COMPLY WITH THE APPLICABLE SETBACK.</p> <ul style="list-style-type: none"><li>• BY PERMITTING THE EXISTING HOME, THE COUNTY ESTABLISHED THE CURRENT FRONT YARD SETBACK AT 16 FEET, INSTEAD OF THE MINIMUM 50 FEET. EVEN IF THE PROPOSED ADDITION WAS BUILT TO THE REAR OF THE HOME, IT WOULD YET ENCROACH 4.6 FEET INTO THE 50 FOOT MINIMUM FRONT YARD SETBACK. THIS CONSTITUTES A SPECIAL CONDITION OR HARDSHIP APPLICABLE TO THE PROPOSED ADDITION. WITHOUT A VARIANCE, THE APPLICANT COULD MAKE NO REASONABLE USE OF THE PROPERTY TO EXPAND THE EXISTING HOME.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>BASED ON THE STATED FINDINGS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUESTED VARIANCES FOR THE EXISTING HOME AND PROPOSED ADDITION, SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING HOME AND PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITION CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, FOLLOWING INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>

1"=60'

C-1 D.  
 $\Delta = 146.75^{\circ}04'$   
 $R = 45.00'$   
 $L = 114.87'$

C-1 M.  
 $\Delta = 146.24^{\circ}10'$   
 $R = 45.00'$   
 $L = 114.98'$



LEGEND

WOOD FENCE	D.E.	DRAINAGE EASEMENT
WIRE FENCE	U.E.	UTILITY EASEMENT
NAL	FD	FOUND
PROPERTY CORNER	P	PLAT
RECORD	ASPHALT	
M	O.H.L.	OVERHEAD UTILITY POLE
C	P.P.	POWER POLE
CL	TX	TRANSFORMER
ENCR	CATV	CABLE RISER
C	W.M.	WATER METER
CONCRETE	TBL	TELEPHONE FACILITIES
PROPERTY LINE	COVERED AREA	
C.M.	B.R.	BEARING REFERENCE
F.I.R.	CH	CHORD
F.I.P.	RAD	RADIAL
R/W	N.R.	NON RADIAL

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN ACCORDANCE WITH FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.02, FLORIDA STATUTES.

SIGNED  
 RALPH SVERDLUFF  
 REGISTERED LAND SURVEYOR NO. 3411  
 STATE OF FLORIDA

#### NOTES

- 1) BEARINGS SHOWN ARE EITHER ASSUMED, PER PLAT, OR PER RECORDED INSTRUMENT.
- 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
- 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- 4) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC DATUM.
- 6) FENCE OWNERSHIP NOT DETERMINED.
- 7) WALL TIES ARE TO THE FACE OF THE WALL.
- 8) NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.
- 9) ONLY VISIBLE ENCROACHMENTS LOCATED.
- 10) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED

#### Legal Description

Parcel 1:  
 From the North 8 mile corner of Section 22, Township 21 South, Range 32 East, run South 412.8 feet; thence run East 128.23 feet to a corner monument; thence run North 64° 12' 18" West 480 feet to a corner monument being on the Eastern Right-of-Way of Snow Queens Drive as shown on proposed Plat of CHULA VISTA; thence run South 21° 01' 11" West along said Right-of-Way 800 feet to a corner; thence continue along Snow Queens Drive 260 feet to the end of said corner; thence South 23° 25' 21" West 190 feet to a corner monument on the Southerly Right-of-Way of Golf View Avenue; thence run South 24° 38' East 190 feet to the Northwest corner of Lot 12, Block 3, of said proposed plat and the Point of Beginning; thence continue South 10° 24' 18" East 2.8 feet to the Point of Curvature of a curve commencing Southerly and having a radius of 124.24 feet; thence run Southerly along the arc of said curve and said Right-of-Way 171.23 feet, through a central angle of 28° 38' 00" to the Point of Tangency; thence run South 80° 03' 22" West along said Right-of-Way 16.73 feet; thence run South 24° 19' 22" West 223 feet, more or less, to the western edge of a canal; thence run Northerly along said water edge 173 feet, more or less, to a point being South 32° 11' 21" West of the Point of Beginning; thence run North 18° 11' 21" East 122 feet, more or less, to the Point of Beginning.

#### Formerly known as:

From the North 8 mile corner of Section 22, Township 21 South, Range 32 East, run South 412.8 feet; thence run East 128.23 feet to a corner monument; thence run North 64° 12' 18" West 480 feet to a corner monument being on the Eastern Right-of-Way of Snow Queens Drive as shown on proposed Plat of CHULA VISTA; thence run South 21° 01' 11" West along said Right-of-Way 800 feet, more or less, to a corner; thence continue along Snow Queens Drive 260 feet, more or less, to the end of said corner; thence South 23° 25' 21" East 190 feet, more or less, to a corner monument on the Southerly Right-of-Way of Golf View Avenue; thence run South 24° 38' East 190 feet to the Northwest corner of Lot 12, Block 3, of said proposed plat and the Point of Beginning; thence continue South 10° 24' 18" East 2.8 feet to a corner; thence Southerly along said curve (being the Right-of-Way of Golf View Avenue) 182.24 feet to the end of the curve; thence continue South 16.73 feet to the west Northerly corner of Lot 12, Block 3, of said proposed plat; thence run South 24° 19' 22" West 223 feet to the back of a canal; thence run North southerly along said canal 173 feet, more or less, to a point being South 30° 15' 22" West of the Point of Beginning; thence run North 50° 11' 21" East 116.8 feet to a Point of Beginning. Also described as Lot 12, Block 3, proposed Plat of CHULA VISTA, in Section 22, Township 21 South, Range 32 East.

#### Parcel 2:

Commencing at the Northwest corner of Hardware 34, Section 22, Township 21 South, Range 32 East, Seminole County, Florida; thence run South along the West line of said Hardware 101.81 feet; thence East 228.32 feet to a corner monument; thence North 64° 12' 18" West 480 feet to a corner monument on the Eastern Right-of-Way of Snow Queens Drive; thence South 23° 25' 21" West along said Right-of-Way 800 feet to the Point of Curvature of a curve commencing at the Northwest, said curve having a central angle of 18° 24' 30" and the Eastern Right-of-Way radius of 123.79 feet; thence along aforementioned curve in a Southerly direction an arc distance of 128.74 feet to the Point of Tangency of said curve; thence South 31° 32' 23" West 189.82 feet to the Southwest Right-of-Way of Golf View Avenue; thence South 24° 38' East along the Right-of-Way of said Golf View Avenue 181.90 feet to the Point of Curvature of a curve commencing at the Southwest, said curve having a central angle of 18° 24' 30" and a Southwest Right-of-Way radius of 128.41 feet; thence along said Right-of-Way in a Southerly direction of 183.38 feet to the Point of Tangency of aforementioned curve; thence South 16.73 feet; thence South 18° 19' 21" West 218.73 feet, more or less, to the edge of a canal for the Point of Beginning; thence turning southerly run North 34° 19' 22" East 218.73 feet, more or less, to the West Right-of-Way of Golf View Avenue; thence South along said Right-of-Way 15.80 feet to the intersection of a cul-de-sac; thence along the circumference of said cul-de-sac through a central angle of 148° 25' 04" and a radius of 45.80 feet (114.87 feet) thence South 180.00 feet, more or less, to the edge of a canal; thence in a Westerly and Northerly direction along said canal 300.00 feet, more or less, to the Point of Beginning.

Above described property also known as Lot 12, Block 3, Plat of CHULA VISTA, as recorded in Official Records Book 771, Page 343, of the Public Records of Seminole County, Florida.

Community number: 120285

Parcel: 8198

Survey: E

Date of F.R.A.E.: 01/93

Date of field work: 8/25/93

Date of completion: 8/26/93

Flood zone: X

Certified to:

Patricia A. Winters, Above Title Company; Fidelity National Title Insurance Company of Pennsylvania; Credit Heritage Services, Inc., its successors and/or assigns.

Property address:

111 Gifford Avenue

Chuluota, Florida 32768

Survey number: P-7028

**First Financial Surveyors, Inc.**

AND AFFILIATED COMPANIES

7700 North Kendall Drive  
 Suite 409  
 Miami, Florida 33156  
 (305) 271-3615  
 Fax: (305) 271-9499

2201 Lucring Way  
 Suite 402  
 Maitland, Florida 32751  
 (407) 873-1470  
 Fax: (407) 873-3195

Nationwide:  
 1-800-227-2654  
 Fax: 1-800-227-2650

**VARIANCE  
APPLICATION TO THE SEMINOLE COUNTY  
BOARD OF ADJUSTMENT**

APPLICANT: Patten + Sandra Wasson  
COMPLETE MAILING ADDRESS: 351 Golfview AV CHULUOTA 32766  
PHONE: WORK: 434 581-2376 HOME: 407-359-1940 FAX: \_\_\_\_\_  
CELL PHONE: \_\_\_\_\_ Email: \_\_\_\_\_  
PROPERTY OWNER OF RECORD: Patten A. Wasson  
SITE OF REQUEST: Same  
STATEMENT OF HARDSHIP: Existing home was constructed prior to 50 ft. front yard setback applicable in A-1 (Research and verify).  
REQUEST: Front yard setback variance from 50 feet to 24 feet for proposed addition to existing nonconforming home.  
LEGAL DESCRIPTION OF PROPERTY: Sec. 22, Twp. 21 S, Rge. 32 E, Lot 13, Blk. 6, Unrecorded Plat, Chula Vista  
TAX PARCEL ID NO. 22-21-32-5U1-0600-0130  
KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: None

**EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:**

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT: Patten A. Wasson DATE: 8-26-03

<b>FOR OFFICE USE ONLY</b>	
FEE: <u>150.00</u>	CK# <u>4022</u> RECEIPT# _____ DATE _____ ZONING DISTRICT: <u>A-1</u>
FURTHER DESCRIBED AS: _____ LOT SIZE: _____	
<b>PROCESSING:</b>	
A. LEGAL AD TO NEWSPAPER _____	B. NOTICE TO PROPERTY OWNERS _____
C. PLACARDS / NOTICE _____	D. PROJECT NO. <u>03-30000141</u>
E. BOARD ACTION / DATE _____	F. LETTER TO APPLICANT _____
G. PUD SETBACKS _____	

INITIAL CONFERENCE 08/26/03

BCC DISTRICT 1-Maloy



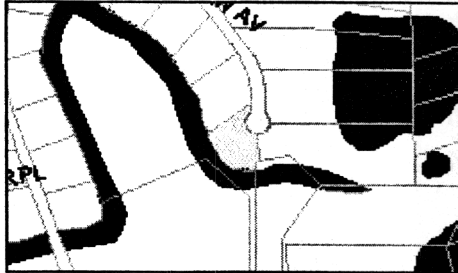
PLANNER ERM

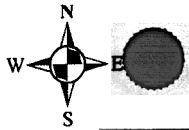
FILE NO. BU 2003-136

Proj. 03-30000141

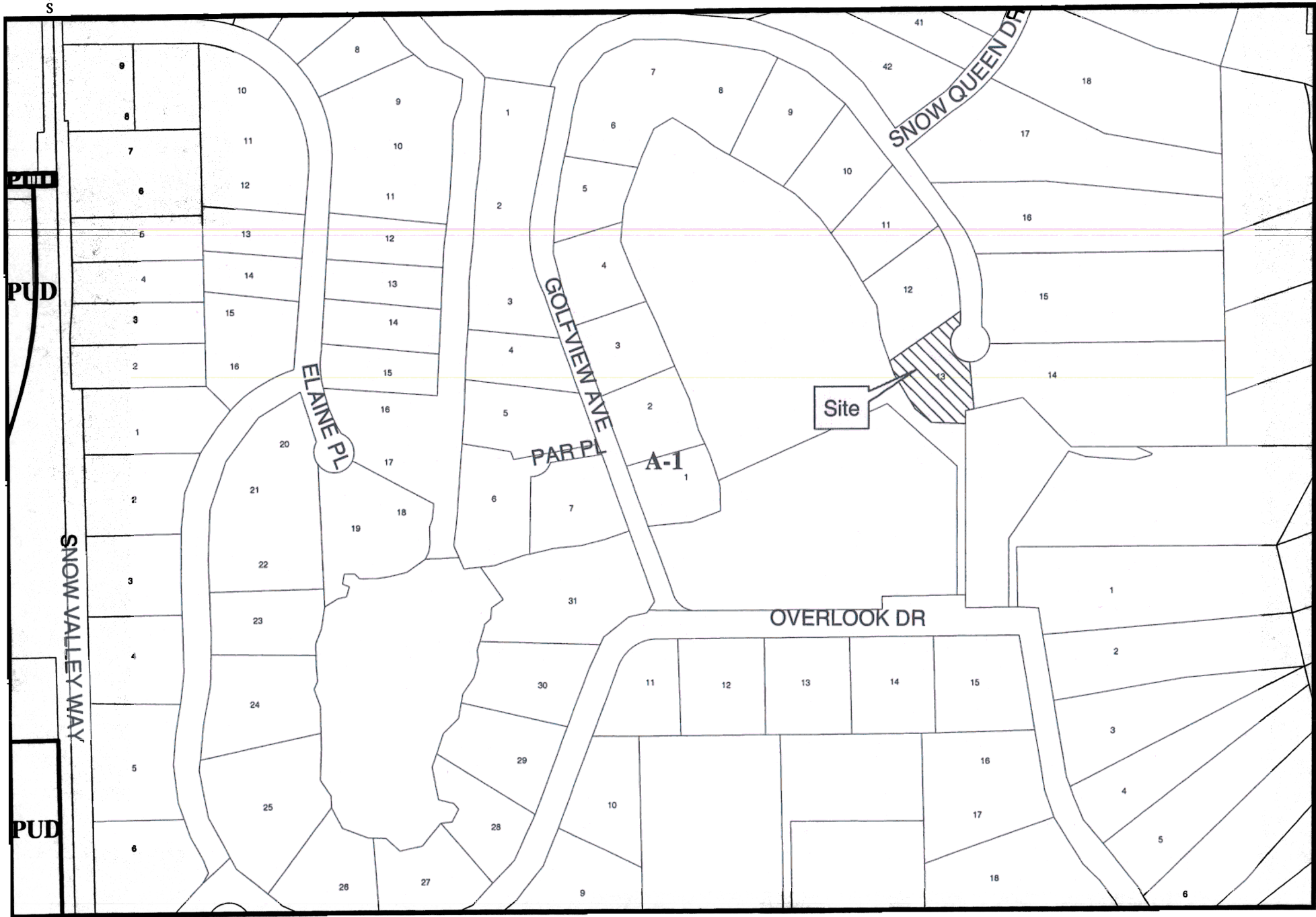
MEETING DATE 08/27/03

\* Check for prior variances to validate existing front yard setback of 24 feet

<b>PARCEL DETAIL</b>	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ + ▶												
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																	
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 22-21-32-5UI-0600-0130      Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: WASSON PATTON A      Exemptions: 00-HOMESTEAD</p> <p>Address: 351 GOLF VIEW AVE</p> <p>City,State,ZipCode: CHULUOTA FL 32766</p> <p>Property Address: 351 GOLFFVIEW AVE CHULUOTA 32766</p> <p>Subdivision Name: CHULA VISTA UNRECORDED</p> <p>Dor: 01-SINGLE FAMILY</p>			<p style="text-align: center;"><b>2003 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 2</p> <p>Depreciated Bldg Value: \$100,791</p> <p>Depreciated EXFT Value: \$14,864</p> <p>Land Value (Market): \$34,882</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$150,537</p> <p>Assessed Value (SOH): \$107,173</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$82,173</p> <p style="text-align: center;">2003 Notice of Proposed Property Tax</p>														
<p style="text-align: center;"><b>SALES</b></p> <p>Deed Date Book Page Amount Vac/Imp</p> <p>Find Comparable Sales within this Subdivision</p>			<p style="text-align: center;"><b>2002 VALUE SUMMARY</b></p> <p>2002 Tax Bill Amount: \$1,379</p> <p>2002 Taxable Value: \$79,161</p>														
<p style="text-align: center;"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT &amp; DEPTH</td> <td>163</td> <td>220</td> <td>.000</td> <td>200.00</td> <td>\$34,882</td> </tr> </tbody> </table>			Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	163	220	.000	200.00	\$34,882	<p style="text-align: center;"><b>LEGAL DESCRIPTION PLAT</b></p> <p>SEC 22 TWP 21S RGE 32E LOT 13 BLK 6 UNREC PLAT CHULA VISTA</p>		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value												
FRONT FOOT & DEPTH	163	220	.000	200.00	\$34,882												
<b>BUILDING INFORMATION</b>																	
Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New									
1	SINGLE FAMILY	1980	6	1,947	1,827	CB+BRICK COMBO	\$94,759	\$99,484									
	<b>Appendage / Sqft</b>		OPEN PORCH FINISHED / 120														
	<b>Appendage / Sqft</b>		BASE / 377														
2	BARNS/SHEDS	1985	0	1,101	693	CONC BLOCK	\$6,032	\$9,425									
	<b>Appendage / Sqft</b>		OVERHANG / 408														
<b>EXTRA FEATURE</b>																	
	Description	Year Blt	Units	EXFT Value	Est. Cost New												
	FIREPLACE	1980	1	\$850	\$2,000												
	CONCRETE DRIVEWAY 4 INCH	1995	2,412	\$4,824	\$6,030												
	POLE/BARNS/BELOW AVG	1982	540	\$756	\$1,890												
	ALUM SCREEN PORCH W/CONC FL	1997	120	\$816	\$1,020												
	ALUM SCREEN PORCH W/CONC FL	1997	160	\$1,088	\$1,360												
	ALUM SCREEN PORCH W/CONC FL	1997	960	\$6,530	\$8,160												
<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																	



Sondra & Patton Wasson  
351 Golfview Ave.



0 150 300 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On October 27, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 22 TWP 21S RGE 32E LOT 13 BLK 6 UNREC PLAT CHULA VISTA

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** PATTON WASSON  
351 GOLFVIEW AVENUE  
CHULUOTA, FL 32766

**Project Name:** GOLFVIEW AVENUE (351)

**Requested Development Approval:**

1. FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 16 FEET FOR AN EXISTING HOME; AND
2. FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 29 FEET FOR A PROPOSED ADDITION IN THE A-1 (AGRICULTURAL DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa  
1101 East First Street  
Sanford, Florida 32771

### Order

#### NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property:

(a) The variances granted shall apply only to the existing home and proposed addition as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: